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GM Moratoria to be Lifted in Two States

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Report Highlights:

The Victorian and New South Wales governments both announced on November 27 that they will lift their four-year moratoria on genetically-modified (GM) canola. Both states said the move will put farmers on a level playing field with overseas farmers such as in Canada and the United States, and noted that more than 22 countries and 10 million farmers around the world grow GM crops. Moratoria remain in place in Tasmania, Western Australia, South Australia (currently under review) and the Australian Capital Territory.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Canberra [AS1]
[AS]

The Victorian and New South Wales governments both announced on November 27 that they will lift their four-year moratoria on genetically-modified (GM) canola. Both states said the move will put farmers on a level playing field with overseas farmers such as in Canada and the United States, and noted that more than 22 countries and 10 million farmers around the world grow GM crops.

Both states cited reports which contributed to the decision to lift the moratoria. In New South Wales, Primary Industries Minister Ian McDonald announced that the action followed a comprehensive review by a three-member panel chaired by former Nationals leader Ian Armstrong. Similarly, the Victorian Premier John Brumby, announced that the state government had accepted the finding of a report led by Victoria's Chief Scientist Sir Gustav Nossal investigating the economic impact of GM canola. Both panels reviewed more than 1200 submissions in making their recommendations.

Both states acknowledged the role of the Office of the Gene Technology Regulator (OGTR) in assessing that GM canola is as safe for humans and the environment. Both states noted that strict labeling laws are in place and the industry is capable of segregation. In addition, the environmental benefits of GM crops were cited. In both states GM canola will be available for the 2008 planting season. (Sources: NSW Department of Agriculture Media Release, 11/27/2007; Media Release from the Office of the Premier of Victoria, 11/27/2007)

National Farmers Federation Supports the Action

In a November 27 media release National Farmers' Federation (NFF) President, David Crombie supported the action and urged other state governments to follow NSW and Victoria's lead and lift their "out-dated moratoria". "As these states illustrate, Australian agriculture has the ability to meet customer demands, rendering such bans unnecessary and denying farmers' legitimate choices," said Mr. Crombie.

Mr. Crombie observed, "NSW AND Victorian farmers can now capitalize on the opportunities gene technology poses for agricultural production – finally able to develop more environmentally-sustainable, drought-resistant and better yielding crops. This will make farmers more efficient and competitive on the world stage. For too long, Australian farmers have been left behind as the international marketplace embraced biotechnology as a safe and viable agricultural science. In the past we all – including the NFF – had adopted a prudent 'wait and see' policy while this science was in its infancy. The science, now well established, has seen the world move on and we must do likewise. Today's announcements allow us to 'catch up' and win a greater share of world markets, opportunities that, while the moratoria remained, passed Australian farmers by."

Mr. Crombie noted, "Farmers must have the opportunity to pursue production methods best suited to their customers' needs – be that GM, conventional, organic or any combination of these. These are points of differentiation farmers pursue in meeting their customers' desires. "The marketplace – both here and overseas – is crying out for GM crops. Australian farmers will now be in a position to use sensible, scientifically-proven and time-tested methods of production. The NFF maintains that the production decisions of one farmer, or groups of farmers, must not unreasonably impinge on the ability of other farmers in meeting the requirements and expectations of the market they chose to meet. Australian farmers are well-placed to responsibly harness the enormous opportunities gene technology offers the environment... reducing use of pesticides and herbicides, maximizing water efficiency, developing resilience in adverse growing conditions and boosting production yields. Naturally, it is vital that producers identify, and thoroughly assess, potential risks and implement strategies to manage them. The NFF is satisfied Australia's safeguards – through the Gene Technology Act 2000 – ensure both food safety and the sustained integrity of

organic and conventional food production." (Source: NFF Media Release, November 27, 2007)

Western Australia and Tasmania Urged States to Maintain GM moratoria

In a joint media release issued on November 24, the Western Australian (WA) Agriculture and Food Minister Kim Chance and Tasmania Primary Industries Minister David Llewellyn jointly called on Victoria, New South Wales and South Australia to maintain their moratoria on the commercial production of Genetically Modified (GM) crops. The Ministers urged the governments of these states to respect the wishes of Australian consumers, food manufacturers and farmers for the moratoria to be maintained. "If Victoria, New South Wales and South Australia lift their GM moratoria, it will increase the risks to Western Australia and Tasmania's GM-free agriculture and threaten Australia's overseas markets," Mr. Chance said. "Opening up other parts of Australia to GM crops could lead to large-scale contamination, subsequent risks to market access and price premiums currently enjoyed by Australian canola farmers, while imposing higher costs on them for product segregation."

Currently in Tasmania a Joint Select Committee is reviewing its Genetically Modified Organisms moratorium, which is due to end in mid 2008. (Source: Joint Tasmania & Western Australia Media Release)

Mixed Reaction to Lifting GM Ban

The decisions by the New South Wales and Victorian Governments to lift a moratorium on genetically modified (GM) canola crops have provoked a mixed reaction among local farmers and campaigners alike.

Victoria Agriculture Minister Joe Helper yesterday argued imported GM products were already available in supermarkets and lifting the ban would give farmers a choice. Victorian Farmers Federation president Simon Ramsay welcomed the decision, saying it would give farmers the choice to take advantage of technology which would increase productivity and reduce chemical and pesticide use.

But farmers such as anti GM-campaigner Geoffrey Carracher, from Minimay in the state's south-west, who last year found high levels of contamination of his canola crop from nearby trial GM sites, has long argued it was impossible to quarantine GM crops because of windborne seeds. Greater Bendigo Councilor Rod Fyffe said a council policy against GM crops formulated in 2002 reflected widespread community concern. "We are very disappointed at this decision," he said. "Until the health risks are assessed over a long period, we cannot say conclusively that these products are safe."

However, Springbank Farm marketing manager Chris Dingle said accepting GM crops not only gave farmers a level playing field against international competition, but the need to lift production in the face of a rapidly growing world population made innovation essential.

Biological Farmers of Australia is pushing for a fund to be created to compensate non-GM farmers financially affected by removal of the ban. (Source: Various online media reports, November 27-28)

Status of Remaining Moratoria

| Jurisdiction | Legislation | Moratorium on GM canola / crops | Sunset / Expiry or Review Date | Responsibility sits with: |
|-------------------------------------|--|--|--|--|
| Australian Government | <i>Gene Technology Act 2000</i> | N/A – The OGTR approved both GM canola varieties for general (commercial) release. | N/A | N/A |
| South Australia | <i>GM Crops Management Act 2004</i> | Yes. Moratorium on the commercial cultivation of all GM crops (including GM canola). | The Act must be reviewed before 29 April 2008. | GM Crop Advisory Committee |
| Western Australia | <i>GM Crops Free Areas Act 2003</i> | Yes. Moratorium on the cultivation of all GM crops (including GM canola). | To be reviewed after 5 years from 24 Dec. 2003; no sunset clause | Ministerial GMO Advisory Panel & Ministerial GMO Industry Reference Group. |
| Tasmania | <i>Genetically Modified Organisms Control Bill 2004**.</i> | Yes. Moratorium on the commercial cultivation of all GM crops (including GM canola). | May be reviewed in June 2008; no sunset clause | Minister for Primary Industries & Water |
| Australian Capital Territory | <i>Gene Technology (GM Crop Moratorium) Act 2004***</i> | Yes. Moratorium on the commercial cultivation of all GM crops (including GM canola). | Expires on a date not earlier than 17 June 2006, but has been rolled over to March 2008. | Minister for Health |
| Queensland | No legislation | Nil. * | N/A | N/A |
| Northern Territory | No legislation | Nil. | N/A | N/A |

* Commercial crops of GM cotton in these States.

** Formally legislated under the *Plant Quarantine Act 1997*

*** Under the auspice of the Minister for Health.

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